

MDL 1570 PLAINTIFFS' EXECUTIVE COMMITTEES

In re: Terrorist Attacks on September 11, 2001 (S.D.N.Y.)

Plaintiffs' Executive Committee for Personal Injury and Death Claims	Plaintiffs' Executive Committee for Commercial Claims
Ronald L. Motley (1944-2013) Jodi Westbrook Flowers / Donald A. Migliori, <i>Co-Chairs</i> MOTLEY RICE LLC James P. Kreindler, <i>Co-Chair</i> KREINDLER & KREINDLER LLP	Stephen A. Cozen, <i>Co-Chair</i> Sean Carter, <i>Co-Chair</i> COZEN O'CONNOR
Andrew J. Maloney III, <i>Co-Liaison Counsel</i> KREINDLER & KREINDLER LLP Robert T. Haefele, <i>Co-Liaison Counsel</i> MOTLEY RICE LLC	J. Scott Tarbutton, <i>Liaison Counsel</i> COZEN O'CONNOR

VIA ECF

January 14, 2020

The Honorable Sarah Netburn
Thurgood Marshall United States Courthouse
40 Foley Square, Room 430
New York, NY 10007

RE: *In Re: Terrorist Attacks on September 11, 2001*, 03 MDL 1570 (GBD) (SN)

Dear Judge Netburn:

The Plaintiffs' Executive Committees ("PECs"), with the consent of the Department of Justice ("DOJ") and Federal Bureau of Investigation ("FBI"), write to respectfully request the Court's approval of an additional one day extension of the deadline for Plaintiffs' further motion to compel directed to the FBI.

At 4:15 PM yesterday afternoon, the DOJ sent an email to the PECs providing an update on several issues the PECs had raised with the DOJ during the parties' December 4, 2019 meet and confer, and that the DOJ had agreed during that call to raise with the FBI for further consideration. The new information requires revisions to Plaintiffs' brief presently due today, to ensure that the brief accurately addresses the current status of the disputes and the communications between the parties concerning same. The DOJ has indicated its consent to the requested extension, provided that the associated briefing deadlines also are extended by one day.

For the foregoing reasons, the PECs respectfully request that the Court endorse the following revised briefing schedule for Plaintiffs' further motion to compel and the government's motion for protective order:

1. Plaintiffs will file their motion to compel and memorandum of law in support of same, not to exceed 25 pages, on or before January 15, 2020;

The Honorable Sarah Netburn

Page Two

January 14, 2020

2. The FBI will file its cross motion for a protective order and memorandum of law in opposition to Plaintiffs' motion to compel and in support of the motion for a protective order, not to exceed 35 pages, on or before February 12, 2020;
3. Plaintiffs will file their memorandum of law in opposition to the FBI's motion for a protective order and in further support of their motion to compel, not to exceed 25 pages, on or before February 26, 2020; and
4. The FBI will file its reply brief in support of its motion for a protective order, not to exceed 15 pages, on or before March 11, 2020.

We thank Your Honor in advance for the Court's consideration of this request.

Respectfully submitted,

COZEN O'CONNOR

/s/ Sean P. Carter

Sean P. Carter, Esquire
1650 Market Street
Suite 2800
Philadelphia, PA 19103
Tel: (215) 665-2105
E-mail: scarter1@cozen.com

*On behalf of the MDL 1570 Plaintiffs' Exec.
Committees*

KREINDLER & KREINDLER

/s/ Steven R. Pounian

Steven R. Pounian, Esquire
Andrew J. Maloney, Esquire
750 Third Avenue, 32nd Floor
New York, NY 10017
Tel: (212) 687-8181
E-mail: spounian@kreindler.com

*On behalf of the MDL 1570 Plaintiffs' Exec.
Committees*

MOTLEY RICE

/s/ Robert T. Haefele

Robert T. Haefele, Esquire
28 Bridgeside Boulevard
Mt. Pleasant, SC 29464
Tel: (843) 216-9184
E-mail: rhaefele@motleyrice.com

*On behalf of the MDL 1570 Plaintiffs' Exec.
Committees*

cc: The Honorable George B. Daniels (via ECF)
All MDL Counsel of Record (via ECF)

The Honorable Sarah Netburn

Page Two

January 14, 2020

LEGAL\44379205\1